

HONORABLE WHITMAN L. HOLT

CHRISTOPHER B. DURBIN (WSBA #41159)
COOLEY LLP
1700 Seventh Avenue, Suite 1900
Seattle, Washington 98101
Telephone: (206) 452-8700
Facsimile: (206) 452-8800
Email: cdurbin@cooley.com

JAY R. INDYKE (*pro hac vice* pending)
CULLEN D. SPECKHART (*pro hac vice* pending)
MICHAEL KLEIN (*pro hac vice* pending)
COOLEY LLP
55 Hudson Yards
New York, NY 10001
Telephone: (212) 479-6000
Facsimile: (212) 479-6275
Email: jindyke@cooley.com
 cspeckhart@cooley.com
 mklein@cooley.com

*Proposed Counsel to the Official
Committee of Unsecured Creditors
of Easterday Ranches, Inc.*

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON**

In re:

EASTERDAY RANCHES, INC., *et al.*,

Debtors.¹

Chapter 11

Lead Case No. 21-00141-11
Jointly Administered

**NOTICE OF APPEARANCE AND
REQUEST FOR SERVICE OF ALL
NOTICES AND PLEADINGS**

¹ The Debtors, along with their case numbers, are as follows: Easterday Ranches, Inc. (21-00141) and Easterday Farms, a Washington general partnership (21-00176).

1 **PLEASE TAKE NOTICE** that the Official Committee of Unsecured
2 Creditors of Easterday Ranches, Inc. (the “Ranches Committee”), by and through its
3 proposed counsel, Cooley LLP, hereby appears in the above-captioned cases
4 pursuant to §1109(b) of title 11 of the United States Code (the “Bankruptcy Code”)
5 and Rules 2002 and 9010(b) of the Federal Rules of Bankruptcy Procedure (the
6 “Bankruptcy Rules”) and hereby requests that copies of all notices and pleadings
7 given, required to be given or filed in the above-captioned cases be given and served
8 upon:

9 Christopher B. Durbin
10 COOLEY LLP
11 1700 Seventh Ave., Suite 1900
12 Seattle, WA 98101
13 Telephone: (206) 452-8700
14 Facsimile: (206) 452-8800
15 Email: cdurbin@cooley.com

Cullen D. Speckhart
Jay R. Indyke
Michael Klein
COOLEY LLP
55 Hudson Yards
New York, NY 10001
Telephone: (212) 479-6000
Facsimile: (212) 479-6275
Email: jindyke@cooley.com
 cspeckhart@cooley.com
 mklein@cooley.com

15 **PLEASE TAKE FURTHER NOTICE** that pursuant to section 1109(b) of
16 the Bankruptcy Code, the foregoing demand includes not only the notices and papers
17 referred to in the Bankruptcy Rules specified above, but also includes, without
18 limitation, any order and notice of any application, motion, petition, pleading,
19 request, complaint or demand, whether former or informal, whether written or oral,
20 and whether transmitted or conveyed by mail, delivery, telephone, telegraph, telex,

1 overnight carrier, facsimile transmission, email or otherwise filed or made with
2 regard to the above-captioned cases and proceedings therein.

3 **PLEASE TAKE FURTHER NOTICE** that filing of this Notice of
4 Appearance and Request for Notices shall not be deemed or construed to constitute
5 a waiver of any substantive or procedural right of the Committee including, without
6 limitation: (i) the right to have final orders in non-core matters entered only after de
7 novo review by the United States District Court for the Eastern District of
8 Washington (the “District Court”), (ii) the right to trial by jury in any proceeding
9 related to these cases or any case, controversy, or proceeding related to these cases,
10 (iii) the right to have the District Court withdraw the reference in any matter subject
11 to mandatory or discretionary withdrawal, (iv) the right to have any matter in which
12 this Court, absent consent of the parties, cannot enter final orders or judgments
13 consistent with Article III of the United States Constitution heard by the District
14 Court; or (v) any other rights, claims, actions, defenses, setoffs, or recoupments to
15 which the Committee is or may be entitled, in law or in equity, all of which rights,
16 claims, actions, defenses, setoffs and recoupments are expressly reserved. Unless and
17 until the Committee expressly states otherwise, the Committee does not consent to
18 the entry of final orders or judgments by this Court if it is determined that this Court,
19 absent consent of the parties, cannot enter final orders or judgments consistent with
20 Article III of the United States Constitution.

Dated: April 16, 2021

/s/ Christopher B. Durbin
Christopher B. Durbin (WSBA #41159)
COOLEY LLP
1700 Seventh Avenue, Suite 1900
Seattle, WA 98101
Telephone: (206) 452-8700
Facsimile: (206) 452-8800
Email: cdurbin@cooley.com

Jay R. Indyke
Cullen D. Speckhart
Michael Klein
COOLEY LLP
55 Hudson Yards
New York, NY 10001
Telephone: (212) 479-6000
Facsimile: (212) 479-6275
Email: jindyke@cooley.com
cspeckhart@cooley.com
mklein@cooley.com

*Proposed Counsel to the
Official Committee of Unsecured
Creditors of Easterday Ranches, Inc.*

CERTIFICATE OF SERVICE

2 I certify that on April 16, 2021, I caused the foregoing to be electronically filed
3 with the Clerk of the Court using the CM/ECF System, which in turn automatically
4 generated a Notice of Electronic Filing to all parties in the case who are registered
5 users of the CM/ECF System in this case. The Notice of Electronic filing for the
6 foregoing identifies all recipients.

/s/ Christopher B. Durbin
Christopher B. Durbin